



## Jay Shepherd

Professional Corporation  
2200 Yonge Street,  
Suite 1302  
Toronto, Ontario M4S 2C6

### **BY EMAIL and RESS**

February 10, 2016  
Our File No. 20150029

Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> Floor  
Toronto, Ontario  
M4P 1E4

### **Attn: Kirsten Walli, Board Secretary**

Dear Ms. Walli:

### **Re: EB-2015-0029 –Union Gas 2015-2020 DSM Plan – SEC Cost Claim**

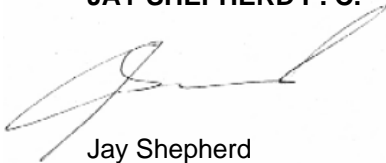
We are counsel for the School Energy Coalition. We enclose the cost claim of the School Energy Coalition, on the Board's form and enclosing docket details.

Jay Shepherd of our office had primary carriage of this matter, and was involved in all aspects of the proceeding. It included detailed discovery, and a lengthy hearing. A small number of hours by Mark Rubenstein to assist has not been included in the claim.

We note that this proceeding was joint with EB-2015-0049, the Enbridge 2015-2020 DSM Plan. Where it was clear that time was being spent on only one of the applications, but not the other, we have calculated the hours separately. However, for most of the proceeding the issues were intermingled, and so we have simply divided the time equally between the two applications. This is true, for example, in most of the oral hearing and final argument activities.

All of which is respectfully submitted.

Yours very truly,  
**JAY SHEPHERD P. C.**



Jay Shepherd

cc: Wayne McNally, SEC (email)  
Interested Parties

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**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Affidavit and Summary of Fees and Disbursements**

This form should be used by a party to a hearing before the Board to identify the fees and disbursements that form the party's cost claim. Paper and electronic copies of this form and itemized receipts must be filed with the Board and served on one or more other parties as directed by the Board in the applicable Board order. Please ensure all required (yellow-shaded) fields are filled in and the Affidavit portion is signed and sworn or affirmed.

**Instructions**

- Required data input is indicated by yellow-shaded fields. Formulas are embedded in the form to assist with calculations.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.

Rate: \_\_\_\_\_ Country: \_\_\_\_\_

- A separate "Detail of Fees and Disbursements Being Claimed" (comprising a "Statement of Fees Being Claimed" and a "Statement of Disbursements Being Claimed") is required for each lawyer, analyst/consultant and articling student/paralegal. However, only one "Summary of Fees and Disbursements" covering the whole of the party's cost claim should be provided.
- The cost claim must be supported by a completed Affidavit signed by a representative of the party.
- A CV for each consultant/analyst must be attached unless provided to the Board as prescribed on the Cost Award Tariff.

**Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.**

<b>File # EB-</b>	<b>2015-0029</b>	<b>Process:</b>	<b>Union Gas 2015-2020 DSM Plan</b>
<b>Party:</b>	<b>School Energy Coalition</b>	<b>Affiant's Name:</b>	<b>Jay Shepherd</b>
<b>HST Number:</b>	<b>83673-5464-RT0001</b>	<b>HST Rate Ontario:</b>	<b>13.00%</b>
	Full Registrant <input checked="" type="checkbox"/>	Qualifying Non-Profit	<input type="checkbox"/>
	Unregistered <input type="checkbox"/>	Tax Exempt	<input type="checkbox"/>
	Other <input type="checkbox"/>		

**Affidavit**

I, **Jay Shepherd**, of the City/Town of **Toronto**  
in the Province/State of **Ontario**, swear or affirm that:

1. I am a representative of the above-noted party (the "Party") and as such have knowledge of the matters attested to herein.
2. I have examined all of the documentation in support of this cost claim, including the attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed" include only costs incurred and time spent directly for the purposes of the Party's participation in the Ontario Energy Board process referred to above.
4. This cost claim does not include any costs for work done, or time spent, by a person that is an employee or officer of the Party as described in sections 6.05 and 6.09 of the Board's Practice Direction on Cost Awards.

**Signature of Affiant**

**Sworn or affirmed before me** at the City/Town of **Toronto**,  
in the Province/State of **Ontario**, on **February-10-16**.  
(date)

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Affidavit and Summary of Fees and Disbursements**

**Commissioner for taking Affidavits**

**File # EB- 2015-0029**

**Process: Union Gas 2015-2020 DSM Plan**

**Party: School Energy Coalition**

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant/other fees	\$	58,014.00
Disbursements	\$	-
HST	\$	7,541.82
<b>Total Cost Claim</b>	<b>\$</b>	<b>65,555.82</b>

**Payment Information**

Make cheque payable to: Jay Shepherd Professional Corporation, in trust

Send payment to this address: 2200 Yonge Street  
Suite 1302  
Toronto, Ontario  
M4S2C6

**Ontario Energy Board**  
**COST CLAIM FOR HEARINGS**  
**Affidavit and Summary of Fees and Disbursements**



# Ontario Energy Board COST CLAIM FOR HEARINGS



## Detail of Fees and Disbursements Being Claimed

<b>File # EB-</b> <u>2015-0029</u>	<b>Process:</b> <u>Union Gas 2015-2020 DSM Plan</u>
<b>Party:</b> <u>School Energy Coalition</u>	<b>Service Provider Name:</b> <u>Jay Shepherd</u>
<p><b>SERVICE PROVIDER TYPE</b> (check one)</p> <p> <input checked="" type="checkbox"/> Legal Counsel  <input type="checkbox"/> Articling Student/Paralegal  <input type="checkbox"/> Consultant  <input type="checkbox"/> Analyst         </p>	
<b>Year Called to Bar</b>	<b>Completed Years Practising/Years of Relevant Experience</b>
<input type="text" value="1980"/>	<input type="text" value="35"/>
For Consultant/Analyst: <input type="checkbox"/> CV attached	<b>Hourly Rate:</b> <input type="text" value="\$330"/>
<input type="checkbox"/> CV provided within previous 24 months	<b>HST Rate Charged (enter %):</b> <input type="text" value="13.0%"/>

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
<b>Pre-hearing Conference</b>					
Preparation	11.1	\$ 330.00	\$ -	\$ -	\$ -
Attendance	11.1	\$ 330.00	\$ -	\$ -	\$ -
<b>Technical Conference</b>					
Preparation	11.1	\$ 330.00	\$ 3,663.00	\$ 476.19	\$ 4,139.19
Attendance	3.1	\$ 330.00	\$ 1,023.00	\$ 132.99	\$ 1,155.99
<b>Interrogatories</b>					
Preparation	36.4	\$ 330.00	\$ 12,012.00	\$ 1,561.56	\$ 13,573.56
Responses	11.1	\$ 330.00	\$ 3,663.00	\$ 476.19	\$ 4,139.19
<b>Issues Conference</b>					
Preparation	11.1	\$ 330.00	\$ -	\$ -	\$ -
Attendance	11.1	\$ 330.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation	11.1	\$ 330.00	\$ -	\$ -	\$ -
Attendance	11.1	\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation	11.1	\$ 330.00	\$ -	\$ -	\$ -
<b>Argument</b>					
Preparation	43.8	\$ 330.00	\$ 14,454.00	\$ 1,879.02	\$ 16,333.02
<b>Oral Hearing</b>					
Preparation	36.7	\$ 330.00	\$ 12,111.00	\$ 1,574.43	\$ 13,685.43
Attendance	33.6	\$ 330.00	\$ 11,088.00	\$ 1,441.44	\$ 12,529.44
<b>Other Conferences</b>					
Preparation	11.1	\$ 330.00	\$ -	\$ -	\$ -
Attendance	11.1	\$ 330.00	\$ -	\$ -	\$ -
<b>Case Management</b>					
	11.1	\$ 170.00	\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			<b>\$ 58,014.00</b>	<b>\$ 7,541.82</b>	<b>\$ 65,555.82</b>

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

File # EB- 2015-0029

Process: Union Gas 2015-2020 DSM Plan

Party: School Energy Coalition

Service Provider Name: Jay Shepherd

Statement of Disbursements Being Claimed				
		Net Cost	HST	Total
Scanning/Photocopy				\$ -
Printing				\$ -
Courier				\$ -
Telephone/Fax				\$ -
Transcripts				\$ -
Travel: Air				\$ -
Travel: Car				\$ -
Travel: Rail				\$ -
Travel (Other):				\$ -
Parking				\$ -
Taxi				\$ -
Accommodation				\$ -
Meals				\$ -
Other:				\$ -
Other:				\$ -
Other:				\$ -
<b>TOTAL DISBURSEMENTS:</b>		\$ -	\$ -	\$ -

**Ontario Energy Board**  
**COST CLAIM FOR HEARINGS**  
**Detail of Fees and Disbursements Being Claimed**



Date	Explanation	Lwyr	Hours
20150402	Review filing	JCS	0.2
20150404	Impact analysis and report	JCS	0.3
20150405	Review application	JCS	1.0
20150410	Review plan	JCS	3.0
20150413	Review application	JCS	1.4
20150421	Review application	JCS	2.0
20150422	Review Notice, review application, NOI	JCS	1.0
20150425	Review plan	JCS	1.2
20150502	Review plan	JCS	1.2
20150503	Review plan	JCS	3.5
20150512	Review PO#1 and scheduling	JCS	0.2
20150513	Many emails, client consultation, proposal	JCS	0.6
20150514	Review GEC letter, draft and file letter, review evidence	JCS	2.3
20150515	Review evidence	JCS	1.5
20150519	Review ED correspondence, review evidence	JCS	0.9
20150530	Review evidence	JCS	2.2
20150531	Review evidence	JCS	3.0
20150601	Drafting IRs	JCS	3.7
20150602	Draft IRs review IRs of others, many emails	JCS	7.2
20150603	Review GEC letter, review OGVG and CCC IRs	JCS	0.2
20150609	Review PO#2 and scheduling	JCS	0.2
20150610	Review GEC letter, various emails	JCS	0.1
20150625	Review IR responses	JCS	3.8
20150702	Many emails, letters	JCS	0.2
20150703	t/c questions, downloading issues, many emails, review corrected responses	JCS	0.8
20150704	Review IR responses	JCS	3.6
20150705	Review IR responses	JCS	3.0
20150706	Prepare for technical conference, review IR responses, many emails	JCS	4.1
20150707	Attend at technical conference (internet and in person), many emails	JCS	3.1
20150715	Review u/t responses	JCS	0.2
20150718	Review transcript	JCS	1.0
20150721	Review u/t responses	JCS	1.7
20150723	Many emails	JCS	0.1
20150724	Review GEC letter and rescheduling	JCS	0.1
20150727	Many emails, review new evidence	JCS	1.0
20150731	Many emails and letters	JCS	0.2
20150804	Many emails	JCS	0.1
20150805	Many emails	JCS	0.1
20150806	Many emails	JCS	0.1
20150807	Many emails	JCS	0.2
20150811	Review IR responses, Hearing prep, Many emails	JCS	2.1
20150812	Review IR responses, Many emails	JCS	2.2



20150813	Many emails, Review IRs.	JCS	2.0
20150814	Many emails, Review new material, Scheduling	JCS	1.2
20150815	Many emails, scheduling	JCS	0.3
20150816	Many emails, Prep for hearing	JCS	2.0
20150817	Prep for hearing, Review transcript, Many emails	JCS	1.5
20150818	Review T/C transcripts, Prep for hearing, many emails	JCS	2.9
20150819	Attend at hearing, Many emails, Prep for Panel 2	JCS	5.4
20150820	Attend at hearing (in person and internet), Many emails, finalize and file panel 2 compendium, Review materials of others	JCS	4.6
20150821	Prep, Attend at hearing (in person and internet-cross), Review transcript, Many emails	JCS	3.7
20150822	Many emails	JCS	0.1
20150823	Hearing prep, Cross Prep, Many emails	JCS	2.2
20150824	Attend at hearing (internet), Cross Prep., Prep for hearing, Many emails	JCS	5.2
20150825	Attend at hearing (in person and internet), Finalize and file cross materials, Many emails, Prep for Wed.	JCS	3.2
20150826	Attend at hearing (in person and internet), Many emails, Revise scheduling, Prep for Panel 2	JCS	2.9
20150827	Many emails, Attend at hearing (internet), Review transcripts, Prep cross	JCS	1.3
20150828	Prep cross, Review intervenor materials, Attend at hearing (in person and internet), Many emails	JCS	4.9
20150829	Prep for hearing, Review OSEA material, Many emails, Research	JCS	2.6
20150830	Prep for hearing, Many emails, Review new filings	JCS	3.0
20150831	Attend at hearing, Cross Prep, Many emails, Review new filings	JCS	3.3
20150901	Attend at hearing (in person and internet), Many emails, Cross Prep, Review new materials, GEC Cross	JCS	4.3
20150902	Attend at hearing (in person and internet), Prepare and file cross materials, Many emails, Review new filings	JCS	4.6
20150903	Attend at hearing (in person and internet), Many emails, Review new materials, Synapse Cross	JCS	2.5
20150904	Attend at hearing (internet), Many emails, Review new filings	JCS	3.7
20150906	Prep for argument	JCS	1.3
20150908	Prep for argument, Many emails	JCS	1.0
20150909	Many emails, Review evidence and background material, Argument outline	JCS	3.1
20150910	Analysis of Issues	JCS	0.7
20150911	Attend at hearing for AIC (internet), Review evidence, Review transcript, Many emails	JCS	2.6
20150915	Outline and issues	JCS	2.0
20150916	Review correspondence	JCS	0.1
20150919	Analysis of Issues	JCS	1.1
20150923	Review evidence	JCS	1.3

20150925	Review evidence	JCS	1.1
20150928	Many emails,Drafting argument	JCS	2.2
20150929	Drafting argument, Research, Review BOMA argument	JCS	1.6
20150930	emails/review partial SEC draft	MR	0.5
20150930	Drafting argument, Circulate partial draft, Many emails	JCS	3.0
20151001	Drafting final argument, Many emails, Review drafts and excerpts from others	JCS	6.2
20151002	Finalize and file final argument, Many emails, Review arguments of others	JCS	6.7
20151003	Review arguments of others	JCS	1.2
20151005	Review final arguments, Reporting	JCS	2.1
20151006	Finish reviewing arguments, email Takis Plagiannakos	JCS	1.4
20151007	Review CCC argument	JCS	0.4
20151009	Review OSEA letter	JCS	0.1
20151023	Review Union Reply argument	JCS	1.2
20160120	Review decision, Many emails	JCS	0.5
20160121	Detailed review of decision, Reporting	JCS	1.3
20160125	Review letter	JCS	0.1
20160204	Review letter of submissions	JCS	0.6
20160205	Draft and file letter	JCS	0.4
			175.8

\$58,014.00

\$7,541.82

\$65,555.82